

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| TIFFANY JEAN NASH,       | ) |                                |
|                          | ) |                                |
| Plaintiff,               | ) |                                |
|                          | ) |                                |
| v.                       | ) | CASE NO. 1:22-cv-00067-JRH-BKE |
|                          | ) |                                |
| ELIZABETH FULLER HADDON, | ) |                                |
|                          | ) |                                |
| Defendant.               | ) |                                |

**AMENDED ANSWER OF DEFENDANT**

COMES NOW, Defendant Elizabeth Fuller Haddon, improperly identified in Plaintiff's Complaint as "Elizabeth Fuller Hadden," and files her Amended Answer to Plaintiff's Complaint alleged against her, showing the Court as follows:

**FIRST DEFENSE**

Plaintiff fails to state a claim against Defendant upon which relief can be granted.

**SECOND DEFENSE**

To the extent Plaintiff's alleged injuries and/or damages were the result of acts or omissions by any person or entity other than this Defendant, recovery from this Defendant is barred.

**THIRD DEFENSE**

Plaintiff's recovery should be reduced in proportion to Plaintiff's negligence, if any, and should be barred entirely if any Plaintiff's negligence equaled or exceeded any negligence of Defendant in bringing about Plaintiff's alleged injuries and damages.

**FOURTH DEFENSE**

If Plaintiff suffered any legal injuries or incurred any damages, some or all of said injuries and/or damages may have been caused, in whole or in part, by preexisting medical, genetic, and/or

environmental conditions, diseases, and/or illnesses unrelated to any act or omission committed by this Defendant.

#### **FIFTH DEFENSE**

Insofar as Defendant is without knowledge or information concerning Plaintiff's residence, venue is or may become improper.

#### **SIXTH DEFENSE**

Defendant reserves the right to plead and prove such other defenses, including but not limited to those allowed by O.C.G.A. § 9-11-8 and/or Fed. R. Civ. P. 8 as may become known during the course of investigation and discovery.

#### **SEVENTH DEFENSE**

Some or all of Plaintiff's claims may be barred by the doctrine of waiver and/or estoppel.

#### **EIGHTH DEFENSE**

Defendant responds to the numbered allegations of Plaintiff's complaint as follows:

1. Responding to the allegations of Paragraph 1 of Plaintiff's Complaint, Defendant admits she resides at the address alleged and admits she may be served with process pursuant to the Georgia Non-Resident Motorist Act. Responding further, Defendant admits that jurisdiction and venue are proper in this Court. Defendant denies her name is spelled "Elizabeth Fuller Hadden" and denies any remaining allegations of Paragraph 1 of Plaintiff's Complaint as pleaded.
2. Responding to the allegations of Paragraph 2 of Plaintiff's Complaint, Defendant admits that she failed to exercise ordinary care in the operation of her motor vehicle on or about July 8, 2021, on Washington Road in Columbia County, Georgia, which caused or contributed to her vehicle making contact with the rear of Plaintiff's vehicle. Defendant admits Plaintiff may be using the word "collision" in the Complaint to refer to the contact between the subject vehicles,

but denies the term “collision” is an appropriate characterization of the event described in Plaintiff’s Complaint and denies any allegation or insinuation that the contact between the vehicles was significant.

3. Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of Plaintiff’s Complaint relating to Plaintiff’s alleged injuries and/or damages, or the nature or extent thereof, and therefore denies same. Defendant denies any remaining allegations of Paragraph 3 of Plaintiff’s Complaint.

4. Defendant denies any allegations contained in Plaintiff’s Complaint not expressly admitted herein, including any allegations contained in Plaintiff’s prayer for relief and any subparts thereof.

WHEREFORE, having fully answered, Defendant prays that she be discharged from this action with costs taxed against Plaintiff, for trial by a jury of twelve (12), and for such other and further relief as the Court deems just and proper.

This 6th day of June, 2022.

OF COUNSEL:

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/s/ Kyle B. Waddell  
KYLE B. WADDELL  
Georgia Bar No.: 676285  
DAVID J. HYMEL  
Georgia Bar No.: 798669  
*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing “Amended Answer of Defendant” has been filed with the Court via ECF and has been served on opposing counsel by depositing same in the United States Mail with sufficient postage attached thereto to ensure delivery, addressed as follows:

David B. Bell  
David B. Bell, Jr.  
P.O. Box 1011  
Augusta, GA 30903-1011

This 6th day of June, 2022.

/s/ Kyle B. Waddell  
KYLE B. WADDELL